

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
DELTA DIVISION**

**UNITED STATES OF AMERICA,**

**VS.**

**CRIMINAL ACTION NO. 2:07CR166-P-B**

**JOSEPH MEZIERE,**

**DEFENDANT.**

**ORDER CONTINUING TRIAL**

This matter comes before the court upon Defendant's fifth Motion for Continuance [29]. After due consideration of the motion, the court finds as follows, to-wit:

Trial is currently set for August 18, 2008. Defense counsel requests a continuance to complete inspection of additional discovery material recently received by the Government relating to medical records indicating the defendant's health at the time of the subject incident, prepare any necessary pretrial motions, and to engage in plea negotiations.

The Government has no objection to the continuance.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(8)(A), the period of delay from August 18, 2008 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford the defendant's counsel more time to adequately prepare for his client's defense. As such, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

**IT IS THEREFORE ORDERED AND ADJUDGED** that:

(1) Defendant's Motion for Continuance [29] is **GRANTED**;

(2) Trial of this matter is continued until Monday, October 20, 2008 at 9:00 a.m. in the

United States Courthouse in Greenville, Mississippi;

(3) The delay from August 18, 2008 to October 20, 2008 is excluded from Speedy Trial Act considerations as set out above;

(4) The deadline for filing pretrial motions is September 29, 2008; and

(5) The deadline for submitting a plea agreement is October 6, 2008.

**SO ORDERED** this the 4<sup>th</sup> day of August, A.D., 2008.

/s/ W. Allen Pepper, Jr. \_\_\_\_\_  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE